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8 Attorneys for Plaintiff
VISA U.S.A. INC.

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 VISA U.S.A. INC.,

14 Plaintiff,

15 vs.

16 MARITZ INC., d/b/a MARITZ
LOYALTY MARKETING,

17 Defendant.

18
19 AND RELATED COUNTERCLAIMS.
20

Case No. CV-07-5585 JSW

**STIPULATION AND ORDER
CONTINUING CASE MANAGEMENT
CONFERENCE**

21 Plaintiff and Counter-Defendant Visa U.S.A. Inc. (“Visa”), Defendant and Counter-
22 Claimant Maritz Inc., d/b/a Maritz Loyalty Marketing (“Maritz”) and Counter-Claim Respondent
23 Carlson Marketing Worldwide, Inc., formerly known as Carlson Marketing Group, Inc.,
24 erroneously sued as Carlson Marketing Group, Inc. (“Carlson”) hereby stipulate by and between
25 their undersigned counsel as follows:

26 WHEREAS, the Case Management Conference for this matter is currently set for March
27 7, 2008;

1 WHEREAS, Maritz has filed motions seeking orders that would both stay the arbitration
2 proceeding Visa began on November 2, 2007 (the "Arbitration") and allow Maritz to conduct
3 certain discovery regarding its claim that it was fraudulently induced to enter the July 9, 2007
4 Letter Agreement ("Maritz's Motions");

5 WHEREAS, Visa has filed a motion seeking an order staying this action pending the
6 outcome of the Arbitration ("Visa's Motion");

7 WHEREAS, Maritz's Motions and Visa's Motion are currently set for hearing on
8 February 22, 2008;

9 WHEREAS, the parties agree that the issues raised by Maritz's Motions and Visa's
10 Motion relate to whether or not the Arbitration or this action should proceed or be stayed, and the
11 parties agree that these motions must be resolved before the parties can efficiently and
12 productively discuss amongst themselves and with the Court issues related to the effective case
13 management of this action;

14 WHEREAS, the parties believe, therefore, that the Case Management Conference will be
15 more productive and efficient if held after the Court rules on Maritz's Motions and Visa's
16 Motion;

17 WHEREAS, this is the first request for a continuance of the Case Management
18 Conference;

19 NOW, THEREFORE, the parties STIPULATE through their respective attorneys of
20 record to request that the Case Management Conference be continued from March 7, 2008 to
21 either April 18, 2008 or April 25, 2008, and that all deadlines derived from the date of the Case
22 Management Conference be continued accordingly..

23 DATED: February 20, 2008

FARELLA BRAUN & MARTEL LLP

24 By: /s/ Roderick M. Thompson
25 Roderick M. Thompson

26 Attorneys for Plaintiff and Counter-Defendant
27 VISA U.S.A. INC.
28

1 DATED: February 20, 2008

MANATT, PHELPS & PHILLIPS LLP

2 By: /s/ Ryan S. Hilbert

3 Ryan S. Hilbert

4 Attorneys for Defendant and Counter-
5 Claimant Maritz Inc. d/b/a Maritz Loyalty
6 Marketing

7 DATED: February 20, 2008

ROBINS, KAPLAN, MILLER & CIRESI
L.L.P.

8 By: /s/ Elizabeth D. Le

9 Martin R. Lueck

10 Elizabeth D. Le

11 Attorneys for Counter-Claim Respondent
12 Carlson Marketing Worldwide, Inc., f/k/a
Carlson Marketing Group, Inc.

13 PURSUANT TO STIPULATION, IT IS SO ORDERED. The Case Management
14 Conference, and all related dates, in this matter are continued. The Case Management
15 Conference shall be reset to April 25, 2008. at 1:30 p.m.

16 Dated: February 20, 2008

17 THE HONORABLE JUDGE OF THE COURT
18 Judge of the Court

